



Magistrates' Courts (Appeals from Binding Over Orders) Act 1956

1956 CHAPTER 44

1 Right of appeal to quarter sessions.

- (1) Where, under the Justices of the Peace Act, 1361, or otherwise, a person is ordered by a magistrates' court (as defined in the Magistrates' Courts Act, 1952) to enter into a recognisance with or without sureties to keep the peace or to be of good behaviour, he may appeal to a court of quarter sessions.
- (2) In the case of an appeal under this section—
 - (a) the other party to the proceedings which were the occasion of the making of the order shall be the respondent to the appeal;
 - (b) section two of the Summary Jurisdiction (Appeals) Act, 1933 (which relates to legal aid) and, in relation to an appellant in custody for failure to comply with the order, so much of section thirty-seven of the Criminal Justice Act, 1948, as relates to the release of convicted persons from custody pending an appeal to quarter sessions shall, with the necessary adaptations, apply as if the appeal were an appeal against a conviction.
- (3) Nothing in this section shall apply in relation to any order an appeal from which lies to a court of quarter sessions apart from the provisions of this section.
- (4) This section shall not apply to any order made before the expiration of a period of one month beginning with the date of the passing of this Act.